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Of Attorneys for Salem-Keizer School District

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

LATINO BUSINESS ALLIANCE, JOSE  
GONZALES, DALTAZAR MOLINA,

No. \_\_\_\_\_

Plaintiffs,

DECLARATION OF REBEKAH R.  
JACOBSON IN SUPPORT OF NOTICE OF  
REMOVAL

vs.

SALEM KEIZER SCHOOL DISTRICT  
24J, SHEMA FAGAN, OREGON  
SECRETARY OF STATE,

Defendants.

I, Rebekah R. Jacobson, do hereby declare and say:

1. I am licensed to practice law in the state of Oregon.
2. I am counsel of record for Salem-Keizer School District 24J in Marion County Case No. 22CV37151.
3. I make this declaration based upon personal knowledge and am competent to testify to all facts herein.

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4. On or about October 31, 2022, Plaintiffs Latino Business Alliance, Jose Gonzales, and Daltazar Molina filed a complaint for injunctive and declaratory relief under 42 U.S.C § 1983 against defendants Salem Keizer School District (“District”) and Oregon Secretary of State Shemia Fagan (“Sec. of State”) (the “State Court Action”).

5. The District was not served with summons in the State Court Action until December 6, 2022.

6. During December 2022 and January 2023, the District made multiple attempts to identify which attorney at the Oregon Department of Justice were representing the Sec. of State in the State Court Action.

7. On or about January 9, 2023, the District ascertained which attorneys at the Oregon Department of Justice were representing the Sec. of State in the State Court Action.

8. During a telephone conference on January 9, 2023, I inquired of counsel for the Sec. of State whether they would consent to removal of the State Court Action to federal court. Counsel for the Sec. of State did not consent to removal. At no time did the Sec. of State consent to removal of the State Court Action to federal court.

9. On or about March 1, 2023, the District received a file-stamped copy of a Limited Judgment of Dismissal, without prejudice, of the Oregon Secretary of State, signed by Judge Daniel J. Wren. A true and correct copy of the file-stamped copy of the limited judgment of dismissal is attached hereto as ***Exhibit 1***.

10. March 1, 2023 was the first time I learned of the dismissal of the Sec. of State. As of March 1, 2023, the District remained as the only defendant in the State Court Action.

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**I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.**

DATED this 10th day of March, 2023.

GARRETT HEMANN ROBERTSON P.C.

*s/ Rebekah R. Jacobson*

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Rebekah R. Jacobson

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Of Attorneys for Defendant Salem-Keizer School District

**CERTIFICATE OF SERVICE**

I hereby certify that I caused to be served the foregoing **DECLARATION OF REBEKAH R. JACOBSON IN SUPPORT OF NOTICE OF REMOVAL** on the date indicated below,

☐ Via First-Class Mail with postage prepaid  
☐ Via Facsimile Transmission  
☒ Via Electronic Filing Notice  
☒ Via Email  
☐ Via Hand Delivery  
☐ Via Overnight Delivery

to the following person(s) a true copy thereof, contained in a sealed envelope (if other than by facsimile transmission), addressed to said person(s) at their last known addresses indicated below:

S. Matthew Lind  
Olsen Daines, PC  
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*Of Attorneys for Plaintiff*

DATED this 10th day of March, 2023.

GARRETT HEMANN ROBERTSON P.C.

*s/ Rebekah R. Jacobson*  
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